IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No.4893 of 2006
Date of Decision: 22.09.2006

Phool Singh ...Petitioner

Vs.

M/s Om Parkash Satpal ...Respondent

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.J.S.Dahiya, Advocate,
for the petitioner.

Vinod K.Sharma, J. (Oral)

Present revision petition has been filed against the order dated 27.6.2006 passed by the learned Trial Court allowing the respondent herein to have signatures of the defendant for comparison at mark 'X' in Ex.P.3 which was denied by the petitioner in his cross-examination.

Learned counsel for the petitioner by placing reliance on the judgment of this Court in CR No. 2896 of 1979 **(Guranditta Mal Vs. Gian**

Mitter) decided on 13.2.1980 contends that no evidence in rebuttal could have been allowed. The facts of that case cannot be applied in this case. In the said case, there was no issue onus of which was on the respondent and accordingly it was held that there was no occasion to lead any evidence in rebuttal.

In the present case necessity of examination of expert arose as the petitioner has disputed his signatures on the document. The court in exercise of jurisdiction could have allowed the application for just and proper adjudication of the case.

There is no error in exercise of jurisdiction by the learned Trial Court which may call for interference by this Court in revisional jurisdiction.

Dismissed.

(Vinod K.Sharma)
Judge

22.09.2006
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